

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PATRICK G. GARLOCK and LARENE M.
GARLOCK, husband and wife; and
MICHAEL H. JENNINGS, JR. and NANCY
A. JENNINGS, husband and wife,

Plaintiffs,

vs.

OPTIMISCORP, a Delaware corporation,

Defendant.

Case No. 3:22-cv-05108-BJR

**STIPULATION AND ORDER
EXTENDING TIME TO RESPOND TO
AMENDED COMPLAINT**

STIPULATION

The parties in the above-captioned action, through their undersigned counsel, hereby STIPULATE and AGREE as follows:

Whereas, the Court granted Plaintiffs' Motion to Amend their complaint on June 6, 2023 (Dkt. 52);

Whereas, Plaintiffs filed their Amended Complaint on June 6, 2023 (Dkt. 53), in which they add new allegations and a new basis for their claim for declaratory judgment based on an indemnity agreement between the parties;

Whereas, under Federal Rule of Civil Procedure 15(a)(3), a party has only 14 days to respond to an amended pleading, which would make Defendant OptimisCorp's response to the Amended Complaint due by June 20, 2023;

Whereas, the parties have met and conferred by email and phone in an attempt to reach an agreement on a brief extension, until July 6, 2023, for Defendant to respond to the Amended Complaint;

Whereas, counsel for Defendant had an unexpected death in the family on June 13, 2023, which created difficulties and delayed the parties in reaching an agreement on the requested extension, but today, June 16, 2023, the parties were able to agree that Defendant may have until July 6, 2023 to answer or otherwise respond to the Amended Complaint; and

Whereas, Defendant's counsel has informed counsel for Plaintiffs that Defendant intends to file a Rule 12 responsive motion to the Amended Complaint, which means the parties need time to meet and confer regarding the grounds for that motion to comply with the Court's requirements detailed in the Standing Order for All Civil Cases at ¶¶ II.C, II.F.

Therefore, good cause exists and the parties hereby STIPULATE and AGREE that Defendant's deadline to respond to the Amended Complaint shall be extended to **July 6, 2023**. The parties hereby request the Court memorialize this deadline by entering the proposed order accompanying this stipulation.

1 DATED this 16th day of June, 2023.

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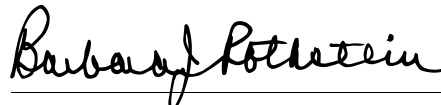
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21 *Attorneys for Plaintiffs Garlock and Jennings*

ORDER

The Court hereby ORDERS that the deadline for Defendant to respond to Plaintiffs' Amended Complaint shall be July 6, 2023.

DATED this 20th day of June, 2023.



Barbara Jacobs Rothstein
U.S. District Court Judge

Presented by:

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